

Remarks

Claims 1-22 were pending. By this amendment, no claims are cancelled or added. Therefore, claims 1-22 are still pending.

Claims 1, 5 and 7-9 are amended to remove reference to un-elected sequence identifiers. Claim 6 is amended to include a period. No new matter is introduced by this amendment, and no amendments are made to distinguish prior art.

Applicants request rejoinder of Groups I-VII. It is asserted in the Office action that the claims of the seven Groups do not relate to a single general inventive concept under PCT Rule 13.1 because under PCT Rule 13.2, they lack the same or corresponding technological feature in view of known fatty acid elongases (US 7,038,112). Applicants disagree and request reconsideration.

Applicants are claiming different fatty acid elongases than those described in US 7,038,112. Although fatty acid elongases were known in the art, those identified and claimed by Applicants were not. For example, the fatty acid elongases described in US 7,038,112 were isolated from *Arabidopsis*. In contrast, the fatty acid elongases claimed herein were cloned from *Thalassiosira*. Therefore, the claims relate to the single general inventive concept of a fatty acid elongase coding sequence shown in elected SEQ ID NO: 3 (and the corresponding protein in SEQ ID NO: 6). All of the claims of Groups II-VII depend from the claims of Group I, further demonstrating the relationship between the claims. For these reasons, the restriction requirement is improper, and Applicants request that Groups I-VII be examined in the same application.

Applicants elect Group I and SEQ ID NO: 3 (FIG. 1B).

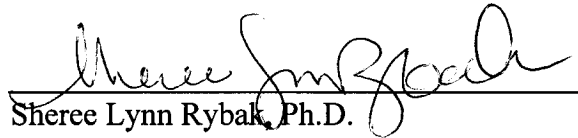
If there are any questions regarding this amendment, the examiner is invited to telephone the undersigned.

Respectfully submitted,

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